

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JOHN ROBERT DEMOS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:16CV1277
	)	
REYNOLDS AMERICAN, INC., et al.,	)	
	)	
Defendant(s).	)	

**JUDGMENT**

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on November 4, 2016, was served on the parties in this action. (ECF Nos. 3, 4.) No objections were filed within the time allowed by § 636.

The Court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action be filed and DISMISSED *sua sponte* without prejudice to Plaintiff filing a new complaint accompanied by the \$400.00 filing fee.

This, the 29<sup>th</sup> day of November, 2016.

/s/ Loretta C. Biggs  
United States District Judge